A defense of grave rubbing: fun but controversial

"Getting a rubbing of a favorite headstone for personal records" as noted in a caption on a post on the Billion Graves blog, with a man named "Chuck Badger" commenting below the post that "I would suggest, though, not to post people making rubbings on headstones. This could be damaging to stones," one indication of the controversy over grave rubbing.

Grave rubbing is an inherent part of genealogy. Thoughts about it among genealogists and other researchers are divided, without a surprise, with strong anger emanating from the preservation community on this issue. Case in point is the response of Jere Gibber, Executive Director of the National Preservation Institute, to my inquiry, noting the number of available online, and saying that "here are just a few of the articles I found on the subject. In general, I would say that the advice offered leans toward not doing gravestone rubbings for many good reasons" and sending forward links to Historic Cemetery Preservation in Maryland, a site titled "Vast Public Indifference" standing against grave rubbings, a "Cemetery Preservation Guide" by a Louisiana individual saying that grave rubbings are extremely harmful, and a link to a South

Carolinian website. He ended by saying "best of luck with your own research." It must be a small organization for the executive director to email me!

Introduction: the debate begins

Some sites like wikiHow and ThoughtCo have pages on "how" a grave rubbing (also called a stone rubbing or tombstone rubbing) should be done. Wikihow says that you need to check if it's okay to take gravestone and tombstone rubbings, with some "headstones may be considered too fragile to take rubbings but on the whole, most people won't mind you taking a rubbing," says that you shouldn't trespass, you should assemble the needed items, clean the gravestone with a soft brush (as one site states, "before cleaning any stone, carefully check its condition"), and how to make the rubbing itself. ThoughtCo says something similar: that you should have permission, only do a grave rubbing on a stable stone, making sure you don't damage the stone, and how to make the rubbing once all the appropriate steps have been taken. However these, including the Wikipedia page on "stone rubbing," and some other sites I found on the subject do not talk about the ethics of gravestone rubbing.[1]

There are hints to the debated nature of grave rubbing. A page on Save A Grave, notes that "gravestone rubbing can be controversial. Many rubbers are not careful, for this reason, some cemetery associations do not allow stone rubbing," while giving the same general tips as wikiHow and ThoughtCo. Another site, savinggraves.net, adds, before outlining tips about how to do grave rubbing appropriately, that "this practice has been regulated or banned in some states and in many cemeteries (particularly in colonial graveyards) due to the damage it can cause to the stone" such as in New Hampshire, with many "cemeteries now ask for permits before you are allowed to do rubbings" and adding that "common courtesy tells us that we should first ask for permission from the cemetery or graveyard superintendent or sexton prior to doing rubbings or taking photographs." Add to this the words of the Massachusetts Studies Project, which says that while grave rubbings are an "easy project to do with students," it is controversial because "repeated rubbings degrade the stones and can cause damage if done improperly."

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[1] For instance see "How to Make a Grave Rubbing" on *HowCast*, and a story titled "Grave Rubbings," in *HandEye* magazine about a woman named Susan Lenz who "draws upon the granite and marble studded cemetery landscape for her Grave Rubbings art quilts," seeking out "gravestones and the words and symbols carved into them for future generations." A neat idea if you ask me. Also see "How to do Rubbings on Headstones," and "How to Do Tombstone Rubbings."

Courtesy of ICH Blog, which says "one group started cleaning up the cemetery and the other group went with Terra who led a workshop about grave rubbing…[ultimately] everyone came away with a working knowledge of the process and an solid understanding of the value of grave rubbing."

Even so, some, at least in the comments on this post, seem to enjoy grave rubbing. Some said that if grave rubbings are nicely framed "they make a bold statement," or that it is "quite a pleasing technique," and, with one adding that it's a "very English thing, and usually free too." Others called the grave rubbings "cool," and one said they loved rubbing graves. In an online

forum post, one person said that "a group of American tourists ambled along the path, taking pictures and 'rubbings' of headstones," and in response some said that it is was good they "had an interest," that rubbings of "some of the more famous graves/monuments" could be acceptable," and that grave rubbing is a "popular pass time." Even a group called the "Gravestone Girls," which states that "everyone sometime in their life has probably done a gravestone rubbing," once offered a 2 & 1/2 hour class to "teach proper techniques [of grave rubbing] and educate about these interesting and historical spaces."

This post looks at the differing laws on grave rubbing within the United States and articulates a defense of grave rubbing as opposed to those who are angry at the practice. Note that any of the following text quoted from varying websites is done in accordance with the fair use exception under existing U.S. copyright law as this article constitutes "reproduction…for purposes such as criticism, comment, news reporting, teaching…scholarship, or research," meaning that it is not an "infringement of copyright."

Argument #1 against grave rubbings:

Photographs are so great now, they negate the need for grave rubbings, which harm the stone!

> "Tombstone rubbings have been popular for centuries, and are often still touted as a fun and interesting way to keep a visual record of a tombstone. But the truth is, it is harmful to tombstones and is currently being banned and outlawed in many different areas. Rubbing is, in itself, very abrasive to stones. It will eventually wear away the carving on stones and loosen bits of the stone causing flaking and breaking. Remember, even gentle rubbings cause decay. With photography what it is today, there is no reason to do a rubbing for recording or memorialising a tombstone. Photographs can provide a much greater and more artistic visual remembrance of any stone."- New Hanover County North Carolina GenWeb
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> "…gravestone rubbing…can cause serious harm to a gravestone. The practice of gravestone rubbing was to place a piece of paper against the front of the gravestone and then use a crayon or pencil to rub against the paper. This was a method of recording the look and words of the gravestone. Unfortunately, with many gravestones being centuries old, this practice would often cause the stone in the gravestone to chip and flake…Your best bet is to take along a good digital camera, on a bright, sunny day where you get the

best contrast, and to take the pictures. Even subtle shadows can be emphasized in most digital software packages, and you'll be able to see exactly what those letters were saying to you."- Lisa Shea

"Gravestone rubbing is the process of reproducing a gravestone's inscription on paper by rubbing chalk, crayon, or charcoal over it. Rubbing can quickly reproduce a life-size reproduction of the stone. It is a popular graveyard activity that has sparked many people's initial interest in cemetery preservation. While rubbing may seem harmless, it can damage the tombstone. The friction and pressure hastens the natural erosion of the inscription that occurs with exposure to weather. Fragile tombstones are especially susceptible to this deterioration. Rubbings also leave remnants of wax or charcoal on the tombstone. Encouraging rubbing perpetuates the false notion that tombstones are impervious to damage. Therefore, gravestone rubbings are not recommended. Similarly, the use of shaving cream to highlight inscriptions is not recommended because it causes chemical damage. High-resolution digital photography is a safe alternative to rubbing that still allows a surveyor or visitor to record the inscription"- Prince George's County, Maryland Cemetery Preservation Manual

"What about tombstone rubbings? These are controversial for the risk they may place on the stones, and have been banned in some places. There are safer ways to capture what's engraved on the grave marker…Take a picture; it will last longer. Here are some steps you can take when shooting the picture to make the inscription more readable"- Family History Daily.

My Response:

There is no doubt that having a good camera can replace grave rubbing. However, if such rubbing is done properly, then it can be as good, if not better than photography. Cameras which have a good lens and work well are not always accessible to everyone. Not everyone, as you might think, has an iPhone. If you don't know how to take a good picture (not everyone is skilled at photography as others are), then saying "you should take a photo, not do a grave-rubbing" is silly!

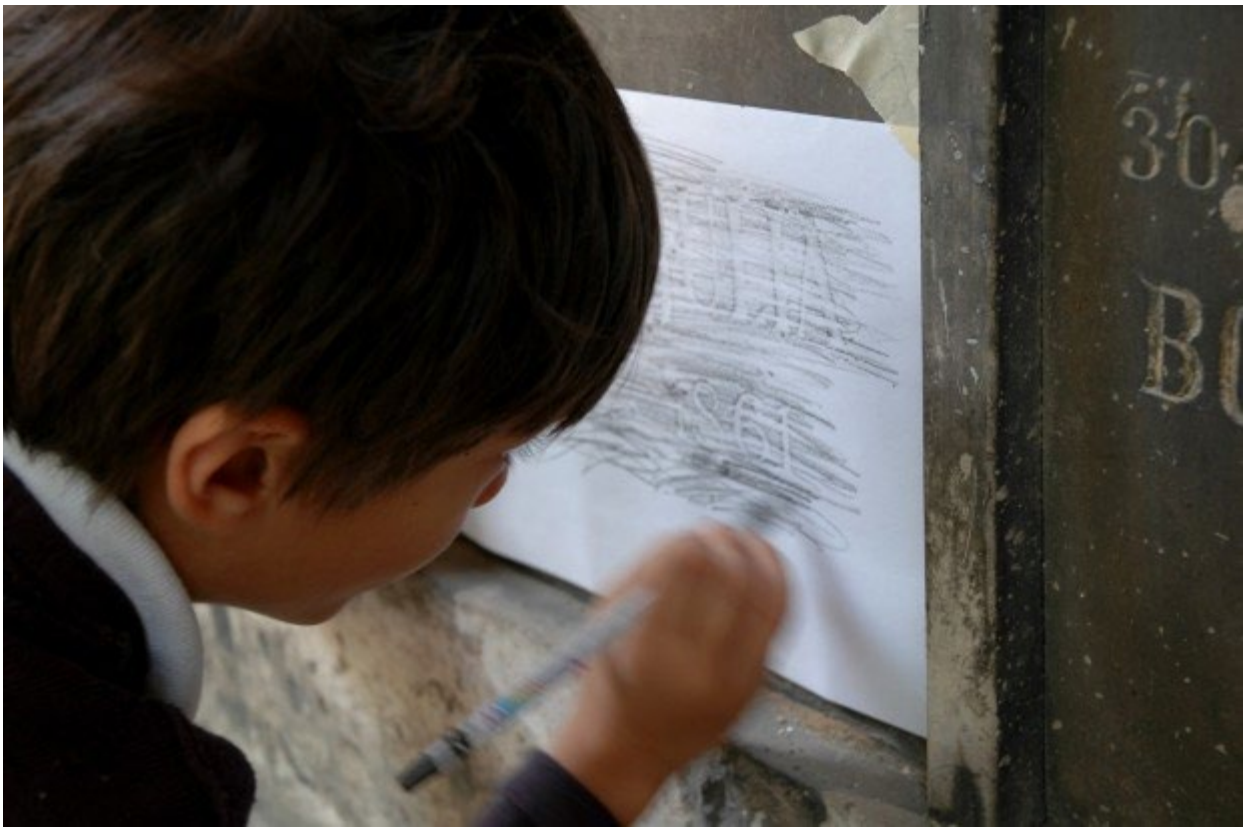
As one blog, focusing on gravestone rubbings at Fort Snelling National Park in Minnesota puts it, the rubbings themselves are hard work! Not only that, but it is fun! As the blogger notes, as you can experiment a bit, with the "look of layered colors" including wax

crayons, applied with varying pressure. Even one critic of gravestone rubbing admitted that "a good gravestone rubbing is a thing of tremendous beauty." I can't agree more. Just take this grave rubbing of Jane Austen's grave on the website of the Folger Shakespeare Library.

A favorable sentiment of grave rubbing is echoed by the Bullitt County History Museum. The latter which reprints the leaflet from the Association of Gravestone Studies titled "Gravestone Rubbing for Beginners," who describes why grave rubbing is so important (after giving do's and don'ts as any good person does about grave rubbing):

> Gravestone rubbing is fun. It is possible to collect some beautiful artwork that can be framed and displayed. A carver's skill can be preserved, or an ancestor's stone recorded and appreciated through this craft. However, gravestone rubbing is also controversial. Especially in cemeteries where a restoration project is in progress, rubbing is often banned. This is to enable the restorers to have an opportunity to preserve all the stones possible before more damage occurs. Even if a restoration project is not in progress, if those who care for the cemetery have determined there are very fragile stones there which may be damaged if pressure is applied to the surface as happens in rubbing, there may be prohibitions in place. So be sure to check.

There is something about grave rubbing that photography doesn't have. In a spiritual way, grave rubbing allows you to be close to the stone, even touch it, even through paper. You gain a direct connection to the stone that you don't gain from a photograph, which you are doing removed from the stone itself. It's almost like the energy of gravestone (and/or the grave site) comes out to touch you and affect you in a positive way, which is powerful especially if some of your family are buried there in that very grave site!



Grave rubbing at Kerepesi Cemetery in Budapest, courtesy of a blog titled "Field Notes from Fatherhood"

Apart from a spiritual feeling you could feel, grave rubbing is, I'd argue more creative than photography. I'm a young person, or as society wants to label me, a "millennial" (whatever that means), but I detest people being on their phones all the time taking photographs. I guess I'm "old fashioned" in that way, but I don't mind that much at all. Most people don't carry around cameras anymore, but have them on their small smartphones in their pockets. Engaging in grave rubbing, it can be a family activity, of someone bringing scissors to cut the drafting, transparent paper, another doing the taping, and one doing the coloring with crayons of some kind.

Just taking a photograph is boring and loses the creative, and I would argue, interactive element of grave rubbing. I understand the arguments against grave rubbing, but using a camera or a phone with a camera is losing that human feeling, that human touch with something that is part of our past. Instead of just touching a button on your phone, you feel that you are part of history, that you are recording something for future generations. Additionally, just taking a photograph assumes that technology will work and not fail. That is, I can say from my own

experience, not a safe assumption to make. Technology fails all the time. Hard drives and disk drives, memory sticks and power cords, work one day but don't work the next. As one article in the *Pittsburgh Post-Gazette* put it,

> Gravestone rubbings may not be everyone's idea of weekend fun, but folks who dig history and art say it's the best of both worlds…Several students chose the graves of children, some dating back more than a hundred years. Under Foster's direction, they used tracing paper, which is exceptionally fine, and charcoal to capture epitaphs and designs…Kelly says he does a lot of rubbings himself, not as an artistic pursuit but for clients who want to have headstones made to match those in nearby plots. He also processes requests from folks who want to rub gravestones for fun or to create artwork to frame.

Julie Kohl of *Only in Arkansas* adds to the above that "grave rubbings can be beautiful pieces of art themselves but should be made with extreme care and caution." She further writes that "never force any debris off of the stone and never select a stone that is damaged or fragile in any way" and adds that "when you have completed all of your rubbings and it is time to leave, clean up after yourself. Make sure you gently remove all your tape and collect any trash" along with many other helpful suggestions. Recently, as the National Blues Museum noted, John Wegrzyn traveled the country "visiting grave sites of famous blues musicians for the past 20 years," creating "gravestone rubbings on album record sleeves from these sites" with the process transforming "the images of the gravestone onto paper making a unique artful homage to each musician." You can't do that with photography! As one blogger comments, there is "no better way to spend a beautiful fall afternoon than in your local graveyard" engaging in grave rubbings, with the right supplies, saying that a "simple crayon works better than pastels or charcoal for gravestone rubbings."

Courtesy of Oklahoma City Mom's Blog, in an article by Kristi, which celebrates the joy of grave rubbing and going around cemeteries.

To the final part of the argument, those who argue against grave rubbing harp on the "harm to the stone." I get that some people are clumsy and can damage stones too easily (only do the grave rubbing on stones which are stable). But some of these grave sites are not tended well and clearly have few visitors (like one I visited in Bridgewater, MA near a church). As such, few visit these places. Saying all of that, I do think that people should follow all the right tips for grave rubbing, as noted in the first part of this article, and use "common sense," as my mom always says, when it comes to this creative endeavor. As noted by the Florida Division of Historical Resources, "do not make a rubbing of a gravestone if it is in poor condition and may fracture from the pressure applied to its face" and while making a rubbing, "be sure that the marker is completely covered with paper and the rubbing medium will not leave any residue."

There is a point that those who sneer at grave rubbing seem to forget however: a grave rubbing can include details that a photograph cannot. Sometimes gravestones are hard to

photograph, or even if they can be photographed in an effective way, you miss something. If you do it diligently, and with discipline, a grave rubbing can show all the nooks and crannies of a stone. This is especially important as stones tend to sink into the ground, meaning that they are submerged partially below the ground. However, if a grave rubbing was done before that, then a photograph taken of the partially submerged stone will tell you less than the grave rubbing. There should be no question about that.

The Holmes County Cemeteries WordPress, which says that "extreme caution" should be done while doing a grave rubbing and getting permission (as some cemeteries do not allow it), describes the practice of grave rubbing as a

> technique that can be used to preserve the unique artwork found on many tombstones. If done properly, it can be a way to help decipher the tombstone's inscription which may be worn with age.

Can you preserve the "unique artwork" with a camera and decipher an inscription worn with age? This is unlikely to be the case especially if a photograph of the stone doesn't turn out well.

Sure, grave rubbing can "potentially damage" a stone if done incorrectly. However, just taking a photograph is like restraining yourself from touching something in a museum. Why not interact with history, instead of physically removing yourself by taking a picture? I understand what too much rubbing of a stone can degrade it over time. If one stone or a cemetery is a popular one for grave rubbing, the cemetery should do their own (professionally done) grave rubbing(s) and have them available to those visiting the cemetery. I wouldn't be opposed to that at all. This is something those who sneer at grave rubbing don't seem to think about or propose as a possible compromise.

Courtesy of a blogger named Gwendolyn with a blog titled "60 Days of Halloween" with this one titled "Day 56: Gravestone Rubbings".

If you want to take a photograph, go ahead, but you will be engaging in an activity which does not have as much of a connection to the past, is something that is easy, simple, and thoughtless. Grave rubbing is something that requires thought but is creative and interactive. Saying all of this, I still enjoy Find A Grave and BillionGraves, with photographs of tombstones within their profiles even if I personally prefer grave rubbing better.

Argument #2 against grave rubbings:

It's against the law, just take a photograph!

> "I did not take this rubbing, in fact because I live in Massachusetts, I have never done a gravestone rubbing. It is considered gravestone desecration and it against the law here. I don't know if it is against the law in other states. This rubbing was done in Connecticut and probably many years ago. It is a reminder to all how well preserved this gravestone is to be able to do that…I raised my hand and politely informed him that this was an illegal practice in Massachusetts and that he should be teaching gravestone photography instead. He replied that it wasn't the SAME and that he would continue to teach them to rub gravestones…It occurs to me now that gravestone photography would be quicker and

easier for his students to accomplish (and more educationally appropriate for 21st century learning and sharing online) and perhaps the time it took to make the gravestone rubbing and then to hang them somewhere in the college's halls (adding to his fame and reputation) was the point to the assignment in his mind."- a blog titled Granite in my Blood

"…gravestone rubbings…are harmful to the gravestone…I consider them temporary and my digital photo of the rubbed stone to be my permanent record."- Janine Adams of Organize Your Family History

"NHOGA does not recommend rubbings as a means of documenting the stones. Old gravestones are surprisingly fragile and any pressure on the stone can easily cause it to snap in half. Because of this, gravestone rubbing is often prohibited by law. Photography is a much safer option."- New Hampshire Old Graveyard Association

The part about taking a photograph is addressed in response to the previous argument, as noted above.

In Massachusetts (MA), as noted by the MA Department of Conservation and Recreation, general governmental guidelines say that cemeteries should "prohibit stone rubbing, which can leave trace oils and wax on historic stone," recommending the directing of a "raking light across the stone's surface to illuminate inscriptions," saying to use "a strong flashlight or a large mirror," then taking a photograph. This prohibition would see seems to have harsh penalties in existing law (also see here) although grave rubbing doesn't seem to mentioned specifically, but alluded to and considered to be part of the law, by places such as *Family Tree Magazine*. There is even a sign at King's Chapel Cemetery in Boston discouraging grave rubbing, as one blogger noted in 2011:

Protect our heritage.
Please remain on the walkway.
Please refrain from grave rubbing.
Parks Department assistance is
available if you wish to visit a
specific marker.

There is a similar sign in Sudbury, MA, as noted by a blogger also in 2011, saying "the revolutionary cemetery is under the jurisdiction of the Sudbury Historical Commission. There is to be no gravestone rubbing or metal detection allowed."

With the image and other assertions, it was unclear to me whether grave rubbing was illegal in Massachusetts or not, so I asked. Here is my email exchange with Ed Bell of Massachusetts Historical Commission, part of the Massachusetts State Archives, starting with my email on December 26th:

> *Good evening.*
>
> *I'm getting ready to write a blogpost about grave rubbing (nationwide) and would like to know about its legal status in your state. I've read your states Department of Conservation and Recreation, general governmental guidelines say that cemeteries should "prohibit stone rubbing, which can leave trace oils and wax on historic stone," recommending an alternative. I've also read specific parts of Massachusetts law here*

and here, and although some places, like Family Tree Magazine, seem to say it is illegal in Massachusetts, I still haven't found anything definitive within Massachusetts law as of yet.

I guess I'm asking: is grave rubbing (also called stone rubbing, gravestone rubbing, monument rubbing or tombstone rubbing) illegal in Massachusetts? If not, is it only discouraged, but still legal?

If you can't answer my question, I ask that you direct me toward someone who can answer my questions.

Thanks. I look forward to hearing from you in the coming week.

Best Regards

[my name and contact info]

Mr. Bell thought I was female (maybe because they get a lot of emails from concerned ladies?), writing back the following day:

Dear Madam,

For Mass. state laws about cemeteries and gravestones, see Mass Gen Law c. 114 and Mass Gen Laws c. 272, ss. 71-73. Municipalities in Mass. and private cemetery corporations may have their own ordinances and rules. We are otherwise unable to offer legal advice.

Ed Bell MHC

I responded the next day writing,

Mr. Bell,

Thanks for your email. I was not thinking you would provide legal advice but was hoping for further resources on laws on grave rubbings. I will take a look at Mass Gen Laws c.

114 (https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter114) and c. 272, ss. 71-73 (https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter272/Section73). I recognize that "municipalities in Mass. and private cemetery corporations may have their own ordinances and rules" as you note.

Thanks again for responding in a timely fashion.

Best regards,

[my name]

The first law is chapter 114 titled "cemeteries and burials." After going past varying provisions on cemetery corporations within this chapter of MA general laws, there are provisions about maintaining cemeteries, prohibiting individuals from using cemeteries as a cut through, not actually looking at the stones, saying that cemeteries cannot be used for commercial purposes without permission, and prohibiting towns from removing any "fence, tomb, monument or other structure" in a cemetery, but allowing them to repair and restore.

Then there is section 73, within chapter 272 of MA general laws, titled "tombs, graves, memorials, trees, plants; injuring, removing." It says and I quote:

*Whoever wilfully **destroys, mutilates, defaces, injures or removes** a tomb, monument, gravestone, American flag, veteran's grave marker, metal plaque, veteran's commemorative flag holder, commemorative flag holder representing service in a police or fire department, veteran's flag holder that commemorates a particular war, conflict or period of service or flag, or other structure or thing which is placed or designed for a memorial of the dead, or a fence railing, curb or other thing which is intended for the protection or ornament of a structure or thing before mentioned or of an enclosure for*

the burial of the dead, or wilfully ***removes, destroys, mutilates, cuts, breaks or injures*** *a tree, shrub or plant placed or being within such enclosure, or wantonly or maliciously disturbs the contents of a tomb or a grave, shall be punished by imprisonment in the state prison for not more than five years or by imprisonment in the jail or house of correction for not more than two and one-half years and by a fine of not more than five thousand dollars. In addition, the court shall order any person convicted of an offense pursuant to this section to pay restitution to the owner of the property that was* ***damaged, destroyed, mutilated, defaced, injured or removed****.*

This would obviously prohibit scratches of a stone or damaging a tombstone in any other way. Even with this, however, I can't tell if this would prohibit grave rubbing or not. Some people on reddit said that "if I recall correctly… gravestone rubbing is illegal in MA" but couldn't find any source other than blogs, another said it is illegal to "deface" or "tamper with" gravestones in Massachusetts," and someone else commented that: "I don't know of any cemeteries that allow stone-rubbings." I know that Reading, MA says that "unauthorized gravestone rubbing is not allowed" and Burying Point cemetery in Salem (as does the whole jurisdiction) bans the practice, as does Dennis, MA, but does this apply to all of MA? The same could be said for Princeton, MA which says that "only gravestone rubbings authorized by the PCC are permitted" with the same being the case for Amesbury, MA, and Provincetown arguing that "gravestone rubbing…is not allowed except by express written permission of the Cemetery Commission or their designee upon submission of written proposal." There are similar regulations in Harvard, Andover, Ware, Harwich, Lakeville, Topsfield, and Ipswich. Perhaps people could do it more freely in the past as a photo on this website could indicate.

With this, I would say it is safer to take photographs in Massachusetts as, at least from my research, the law is unclear on the subject despite some declaring it is prohibited. It is a jurisdiction-by-jurisdiction basis, I'm not sure but it seems not illegal, but don't quote me on that. As such, make sure to recognize the rules or regulations regarding photography in cemeteries.

Volunteers try a hand at grave rubbing at the cemetery's Stewardship Spring Cleaning Day (Photo: AIA/ECHS)

"Volunteers helped with light ground cleaning and site care…Afterwards they had the opportunity to enjoy tours of the cemetery grounds, try a hand at grave rubbing, and participate in an archaeological scavenger hunt" with the text and above photo from archaelogical.org.

Then we got to Rhode Island. It seems to have strict laws relating the moving of anything from a grave site. However, grave rubbing does not seem to be mentioned, even if you said it

was implied in bills (unsure if they passed) like this one (also see here).[2] Like with Massachusetts, I emailed the Rhode Island Historical Preservation & Heritage Commission, writing that

> Good evening.
>
> Your state seems to have strict laws relating the moving of anything from a grave site. However, grave rubbing does not seem to be mentioned, even if it seems implied in varying laws.
>
> I had one simple question: what is the legal status of grave rubbing (also called tombstone rubbing, monument rubbing, and gravestone rubbing) in the state of Rhode Island? Is it illegal as in Massachusetts (as some assert), is it legal but needing a permit, or something completely different.
>
> I hope you are having a good holiday and I look forward to hearing from you soon.
>
> Best regards,
>
> [name and contact info]

As of January 22, the date of the writing of this article, I have received no reply to this inquiry. I hope to get something considering that the Rhode Island Historical Cemetery Commission (RIHPHC) suggests that grave rubbing be limited. On February 6th, Charlotte Taylor, an archaeologist with the RIHPHC, told me, in an email, "sorry for being so long in answering your question; it took a while to get to my mailbox. There is **no law forbidding gravestone rubbings in RI,** but the RI State Cemetery Commission strongly discourages it, because it might cause damage to the stone. Let me know directly if you have any further questions." Why they would strongly discourage it is understandable, as I note in this article, although I still support the practice as this article notes.

[2] Also see here, here, here, here, here, and here.

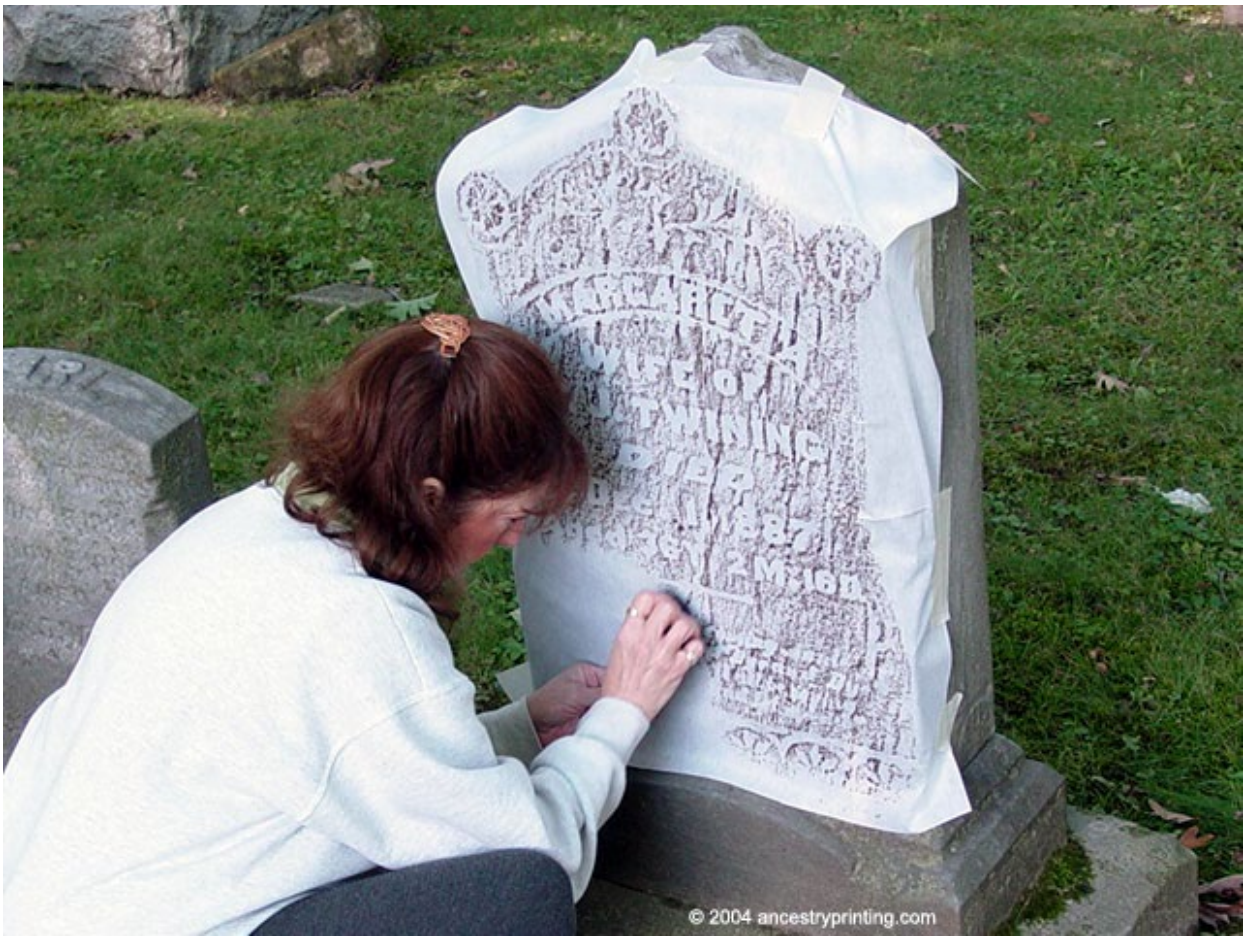


Image via Ancestry Printing, a company which is so specialized, it only deals with printing genealogy charts! The person in the image seems to be Cheryl Spiegel of Ancestry Printing, a co-founder of the business.

In New Hampshire (NH) municipal cemeteries and burial grounds, one needs to obtain the "written permission of the town selectmen or the mayor of a city or designee" to do a grave rubbing, as stated in a law passed in 1994 in Section 289:22 of NH Law. Specific rules and procedures are laid out in the easy-to-read and interpret form issued by the town of Fitzwilliam. The town of Northfield, NH prohibits grave rubbing as does Amherst (also see here), Tuftonboro, Stoddard, and Oakland Cemetery, while Rumney, NH says you need written permission before doing a grave rubbing. The same is the case in Hancock, NH, which says that "headstone rubbing is permitted only by the Sexton. Persons wishing to perform rubbing must register with the Town Clerk and the Town Hall. Instructions for headstone rubbing will be issued at time of registration," the same being the case for Walpole, NH, Brentwood, NH, Stratham, NH, Marlow, NH, Epping, NH, Gilmanton, NH, Windham, NH, Newton, NH,

Savannah, Georgia has a whole set of regulations relating to monument and headstone rubbing. Their regulations state that:

1. You need a "permit from the Department of Cemeteries" to do a grave rubbing that specifies "all lot numbers from which a rubbing is desired," with a permit applied for every time the monuments are rubbed.
2. A permit to rub a monument needs the written approval of the owner of the lot which contains "the monuments to be rubbed," except if the owner is deceased with no heirs, and no burials "on that lot for at least seventy (70) years."
3. The person making the request for the permit is "responsible for any damage to monuments or the grounds incurred by the rubbing activities" and cannot rub monuments that are "cracked, split, spalling, flaking, or have seams," but only those that are "sound stones"
4. All rubbings of monuments must be done under the "direct supervision of a responsible adult over eighteen (18) years of age"
5. Stones may be cleaned but only with a soft brush and not with a wire brush, with the non-removal of "lichens or moss growing on the stones"
6. The entire area to be rubbed must be covered with paper held in place by making tape, with any pens not allowed for monument rubbing, but "chalk, charcoal, crayons, or graphite" being acceptable, with any tape, paper, and trash from the process either removed from the lot or put in trash cans

Another city in Georgia, Atlanta, has its own regulations. They only have one sentence, unlike Savannah, saying that "no person shall conduct any stone rubbings within the cemetery, unless approved by the commissioner or director, bureau of parks." Madison, also in Georgia, has similar rules, saying that only permitted grave rubbing is allowed following proof of "family authorization" with guidelines for supervision, certain standards, cautions, approved rubbing methods, and approved rubbing materials.

This is very different from Nashville, Tennessee which prohibits grave rubbings because "the markers are very fragile [and] the pressure applied to the marker to make the rubbings can cause continued flaking," adding that even "with the harder stone markers, crayons and pencil marks left on the stones are damaging."

Wasco County Chief Deputy Lane Magill: "It was a cold day, about 20 degrees and brutal, and the wax didn't want to work when I was trying to do the gravestone rubbings at Arlington. I ended up having to redo some of them but somewhere along the way these men became the faces of war for me; I never met them but they died for me."- The Dalles Chronicle of The Dalles, Oregon.

Connecticut is unique. Since many of the gravestones in the state are sandstone and will "erode internally leaving the surface…seemingly very stable for rubbing when in fact the stone is hollow beneath." Other laws on grave rubbing in Connecticut are not currently known except it is clearly prohibited in Somers, CT. With this, and the condition of the stones, I don't think rubbing stones in Connecticut is a good idea! As the Fairfax County Cemetery Preservation Association writes, "rubbings themselves are generally discouraged unless authorized by the gravestone owner…Do not touch any gravestone that looks delicate, unstable, or disaggregated." The same type of laws in place in Connecticut are also there for Pennsylvania. The latter undoubtedly has laws concerning cemeteries (as noted here, here, and here) but none seem to relate to grave rubbing. Already it is clear that someone was able to do a grave rubbing of Andy Warhol's gravestone in PA, so perhaps it isn't illegal? You could also say this is the case for New York which has a listing of laws applicable to cemeteries, and even has a Division of

Cemeteries. Lafayette, Colorado is the most direct of all, saying point-bank on their website that "gravestone rubbings are not permitted."

Beyond this, there are laws on gravesites (some specifically related to grave rubbing) for varying other states:

- Indiana (the laws of the whole state are not currently known, but it is clear that you can do grave rubbings in Indianapolis)
- Texas (also see here)
- Virginia, which has laws about defacing, mutilating, and damaging stones, but nothing about grave rubbing per say (see here, here, and here)
- Washington State
- Ohio (while it seemed that the state seems to prohibit rubbing of stones which would cover grave rubbing, with this specifically the case in Granville Township, other places allow it but only with permission, and it has been done in Antioch, Ohio, putting into question if it is prohibited at all)
- North Carolina's specific laws on cemeteries do not mention grave rubbing
- Missouri has laws about damaging stones (as noted here and here) but nothing about grave rubbing to be exact
- Kentucky has similar laws to Missouri, but nothing relating to grave rubbing
- Tennessee has similar laws to Missouri and Kentucky.
- Maryland seems to need some sort of approval for grave rubbing ("No ground disturbing activities may be conducted on state-owned or state-controlled property without obtaining a permit from MHT"), but I would have to look into that more as the guidelines don't say.
- Maine's laws on cemeteries don't even mention the word "rub." It seems that Maine allows grave rubbings, but more investigation would be needed as one needs permission for such rubbings in certain cemeteries in the state
- Illinois, the laws of which don't include the word "rub" (even so, the Illinois Department of Natural Resources and Illinois Historic Preservation Agency "strongly discourage" rubbings, further writing in a preservation handbook that "Making a rubbing of a marker does pose an unwarranted risk to the stone…although some preservation resources support making rubbings, we believe that the risks outweigh the end results. Digital

photography provides an excellent opportunity to capture the motifs and inscriptions found on marble markers.")

- Utah, the laws of which seem unclear on grave rubbing.
- Oregon doesn't mention grave rubbing either!
- Nebraska, which doesn't mention it
- Louisiana, with a website with dead links
- South Carolina (The South Carolina Dept of Archives & History writes that "unfortunately, it can damage historic gravestones. Some cemeteries now even forbid the practice…If you decide to make gravestone rubbings, avoid as much damage as possible" but no comment on its legal status is made, although this website seems to suggest that prohibiting grave rubbing was floated)
- West Virginia
- Florida has resources about grave rubbings but nothing specifically on its legal status
- Michigan, with the Michigan Historic Cemetery Preservation Manual writing that "gravestone rubbings are not recommended and are no longer considered an acceptable practice because of the harm and damage that can occur…With the currently available photographic capabilities, rubbings are an unnecessary risk for fragile historic headstones. High-resolution photography of stones is a safe and effective alternative to rubbing. Photography can document and reproduce the same information. A digital camera can achieve remarkable results without chemicals or stress to the stones." The exact laws in Michigan are not known, although there are documented grave rubbings in the state.

There are federal laws, but these don't relate to grave rubbing and neither does the cemetery brief by the National Park Service.

Courtesy of Episcopal Christchurch of Shrewsbury in Shrewsbury, NJ. Images taken in 2014.

As for Maryland, I asked about grave rubbing, writing an email on January 22nd:

> Good morning Maryland Office of Cemetery Oversight,
>
> As a Marylander, I'd like to know about the legal status of grave rubbing (also called tombstone rubbing, monument rubbing, stone rubbing, and gravestone rubbing) as the burial law document compiled by the Maryland Historical Trust doesn't seem to mention it. I'm not asking for legal advice or anything of the sort as I know you wouldn't be able to provide that. But I see that "Maryland law provides protection against disturbance of burial sites and human remains" and that "No ground disturbing activities may be conducted on state-owned or state-controlled property without obtaining a permit from MHT" on the Historic Cemetery Preservation webpage. I was originally going to email the Maryland Historical Trust, but I thought I'd start with you first.
>
> I look forward to hearing from you in the coming week.
>
> Best regards,
>
> [then listing my contact info and name]

I hope to hear from them soon. I will update this blog with their response. I know that the Coalition to Protect Maryland Burial Sites writes in their guide to stewardship of burial sites that

> Do rubbings of stones only after permission has been granted by the cemetery office or owner. Your interest in burial grounds may be in creating a rubbing of the carvings and inscriptions found on the gravestones…on a very basic level, to lift an image from a gravestone you need…Permission to do a rubbing from the cemetery management…Note that it is important to not mark or mar the stone you are rubbing in any way. Placing the paper all the way over the edges and around the stone helps to ensure you do not get any wax on the stone…It's better to learn the good rubbing techniques and try out your tools before you enter a burial ground. It is therefore recommended that you practice at home before you attempt to lift an image on site…If you want to create a rubbing of a stone and the cemetery refuses permission, state or local law forbids the practice, or a stone cannot be rubbed due to its deteriorated condition a photograph is a good alternative.
>
> But that is general and doesn't talk specifically about Maryland.

After saying all of this, it is clear that you should make sure you follow the relevant guidelines in your state regarding grave rubbing (not burial laws). You don't want to be running away from the police with your grave rubbing in hand, pay a nasty fine, or spend time in the slammer! Allison Dolan of *Family Tree Magazine* wrote that:

> A state, county, municipality or a cemetery itself can set rules regarding tombstone rubbings. Historic cemeteries and those popular with tourists…often prohibit tombstone rubbings because of the potential damage. Repeated rubbings of a stone, even when done properly, cause deterioration over time. Similarly, Department of Veterans Affairs national cemeteries also do not authorize gravestone rubbings…You also may find rubbings aren't prohibited, but regulated…Before you visit a cemetery to do a rubbing, call ahead to see if it's permitted. Most cemetery Web sites I checked didn't address the issue; I'd try to talk to a person just to be safe. For some cemeteries, it's not clear whom to call…A local genealogical or historical society might be able to give helpful information, too. Before visiting a cemetery located on private property…check cemetery access laws to ensure you're not trespassing…Even when tombstone rubbings are allowed, use common sense: If a stone is unsteady, crumbling or fragile, don't take a rubbing—take a picture and make a transcription instead.

From here, *Genealogy Today* puts it best, when it comes to the merits of grave rubbings, writing that "tombstone rubbings can be a great way to collect genealogical information. And the

process can be fun for the entire family," helping to preserve old tombstones which "crack and break apart or erode over time." Additionally, they can create "interest and conversation with family members who aren't normally interested in family history." I doubt that a photograph of a tombstone can have the same effect as that. As Kristi of the Oklahoma blog, "Cemetery Fun!" writes,

> the first time I ever did a grave rubbing was in a beautiful, old cemetery in Stratford-upon-Avon. It was so fun. This is a great way to not only teach about the symbols but it's a great art project as well. All you need is some paper and a crayon and possibly some tape to hold the paper on, if you are wanting to copy a large area…make sure the cemetery allows rubbings &…only do them on sturdy headstones.

Even saying this, looking at the laws above, some states, like Connecticut, undoubtedly require a method other than grave rubbing if the stones are that fragile, looking "stable" when they are actually hollow. As a post on Ancestry put it, "before you do any kind of gravestone rubbing, first check with the group that is in charge of the cemetery or find another method that is safer for the stone to get the information you need." This applies whether you are doing grave rubbing in Ireland, North Carolina, Falls City, Nebraska, Kentucky, or in New Suffolk, NY. So do grave rubbing and have fun but be responsible while doing it!

Atop an article in the West Milford Messenger titled "Experiencing local history." They caption this photo saying, "West Milford student, Ryan, participates in a grave rubbing activity."

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Update:

Ms. Andrea Carlin of the Greenfield, MA-based Association for Gravestone Studies wrote to me on January 27, saying that I should "contact Gravestone Artwear, they sell rubbing supplies and I'm sure would have some advice" and attached a "guide that has some general info" for other helpful tips. That 8-page-guide is attached here. The website she sent for Gravestone Artwear says the following:

> …Our brand NEW Old Stone Rubbing Kit's contents are all manufactured here in the USA…In response to our customers requests for wider rubbing paper, we've added three inches to the width of our internationally known "Aqaba" brand rubbing paper. It now

measures 27 inches by 36 inches to give you more rubbing surface. We have made the tube wider for easier access to its contents.

The half inch wider width also gives you more space for storing your rubbings…The NEWLY updated Old Stone Rubbing kit retails for $29.95, plus shipping. Additional copies of the Gravestone Rubbing Guide can be purchased at $5.00 each.

As always, I welcome all your comments on the subject.